

Wetlands Bureau Decision Report

Decisions Taken
01/31/2006 to 02/05/2006

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-02540 RUSS, JAMES & JACQUELINE
PORTSMOUTH Piscataqua River Back Channel

Requested Action:

Approve name change to: James & Jacqueline Russ, 20 Pleasant Point Dr, Portsmouth NH 03801

Conservation Commission/Staff Comments:

Portsmouth Conservation Commission recommends approval of the cited project.

Inspection Date: 04/04/2005 by Eben M Lewis

APPROVE NAME CHANGE:

Construct a 6'x10' permanent fixed pier to a 3'x 30' seasonal ramp to a 10' x 20' seasonal float providing two boat slips on 120' of shoreline frontage on the Back Channel of the Piscataqua River.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated 10/13/04, as received by the Department on 10/19/05.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. DES Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. The decking of the fixed pier shall have a minimum of 6 ft. clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks and the 3-foot ramp shall have a minimum of 3 ft. clearance from the surface of the tidal marsh.
9. The float of this structure shall be constructed with rails to prevent it from sitting directly on the mud at low tide.
10. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
11. Seasonal docking structures shall be removed for the non-boating season.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetland or bogs.
2. Public hearing is waived based on DES staff field inspection on 04/04/2005, with the finding that the project impacts will not significantly impair the resources of this estuarine wetland ecosystem and that the proposed dock will not impede navigation.
3. NH Natural Heritage Bureau (NHNHB) has identified one state listed threatened species within the vicinity of the project, Marsh Elder (*Iva frutescens* ssp. *oraria*). DES review of this application and field inspection finds that the NHNHB identified species will not be impacted as a result of this project.
4. This dock is consistent with other tidal dock approvals in the seacoast.
5. A letter dated December 10, 2004, from the Portsmouth Conservation Commission (Commission) states that the Commission recommends approval of the cited project.
6. The NH PDA Division of Ports and Harbors, per letter dated December 21, 2004, reports that this project will have no impact on navigation in the area.
7. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2005-01137 BROWER, HOWARD
MEREDITH Unnamed Stream

Requested Action:

Dredge and fill 7700 square feet in two locations including installation of a 33-inch x 49-inch x 16.5 foot pipe arch culvert over an intermittent stream and the installation of a 12-foot x 4-foot x 26 foot box culvert buried 1 foot into the natural stream bottom over Hermit Brook for driveway access to a proposed single family residence.

Conservation Commission/Staff Comments:

Please see the findings.

APPROVE PERMIT:

Dredge and fill 7700 square feet in two locations including installation of a 33-inch x 49-inch x 16.5 foot pipe arch culvert over an intermittent stream and the installation of a 12-foot x 4-foot x 26 foot box culvert buried 1 foot into the natural stream bottom over Hermit Brook for driveway access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Shering Associates dated February 16, 2005, and revised through November 15, 2005, as received by the Department on January 6, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
5. Work within Hermit Brook shall be done during low flow and under dry conditions.
6. Work within the intermittent stream shall be done during periods of non-flow.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
16. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

17. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.

18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

19. A post-construction report documenting the status of the restored streambed shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1); Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Wt 303.04(n).

2. This is the way to access the buildable portion of the lot.

3. The residential lots on either side of this lot have been previously developed and did not impact wetland areas.

4. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

5. The applicant has provided an open bottom structure over the intermittent stream and a structure with a naturalized stream bottom on Hermit Brook.

6. The driveway width is the narrowest allowable by the town of Meredith and impacts have been further reduced by the use of headwalls and 2:1 side slopes.

7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

8. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

9. The applicant has provided a drainage report illustrating that the culverts have been appropriately sized in order to not detain water on the upstream side.

**2005-01354 BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M
MILLSFIELD Millsfield Pond**

Requested Action:

Impact 1880 sqft of shoreline to re-grade and stabilize an existing access road, construct drainage control structures to control the storm runoff from the adjacent road, on Big Millsfield Pond, Millsfield.

APPROVE PERMIT:

Impact 1880 sqft of shoreline to re-grade and stabilize an existing access road, construct drainage control structures to control the storm runoff from the adjacent road, on Big Millsfield Pond, Millsfield.

With Conditions:

1. All work shall be in accordance with plans by Fay Spofford and Thorndike dated March 18, 2004, revision date October 27, 2005, as received by the Department on December 22, 2005.

2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

5. Work shall be done during low flow.

6. This permit does not allow for any dredge of the bed of the waterbody or any dredge lakeward of the existing shoreline.

7. This permit does not allow for any work lakeward of the existing shoreline as shown on the approved plans.

8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.

9. Faulty equipment shall be repaired prior to entering jurisdictional areas.

10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), projects which disturb less than 200 linear feet of an intermittent stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

2005-01441 COSMA, JUNE/THOMAS
HOOKSETT Merrimack River

Requested Action:

Rip rap 40 linear feet (400 square feet) of the bank of the Merrimack River to prevent further erosion threat to dwelling.

Conservation Commission/Staff Comments:

Conservation Commission did not report.

Inspection Date: 11/02/2005 by Heather S Dionne

APPROVE PERMIT:

Rip rap 40 linear feet (400 square feet) of the bank of the Merrimack River to prevent further erosion threat to dwelling.

With Conditions:

1. All work shall be in accordance with plans by Thomas Cosma dated July 2005 as received by the Department on July 18, 2005.
2. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Work shall be done during low flow.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of and away from surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. Field inspection by DES personnel on 11/2/2005 confirmed that the shoreline is not maintaining its stability with vegetation and the extent of erosion is threatening the dwelling.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2005-01793 CRONIN, DEREK & LAURA
TUFTONBORO Lake Winnepesaukee

Requested Action:

Dredge 0.7 cu yd from 20 sq ft of lakebed and impact 570 sq ft of protected shoreland to repair an existing patio, and convert an existing terraced area to a perched beach, install a concrete anchor pad and replace an existing 4 ft x 30 ft seasonal pier with a 6 ft x 40 ft seasonal pier on an average of 101 ft of frontage on Lake Winnepesaukee, in Tuftonboro.

Inspection Date: 12/13/2005 by Darlene Forst

APPROVE PERMIT:

Dredge 0.7 cu yd from 20 sq ft of lakebed and impact 570 sq ft of protected shoreland to repair an existing patio, and convert an existing terraced area to a perched beach, install a concrete anchor pad and replace an existing 4 ft x 30 ft seasonal pier with a 6 ft x 40 ft seasonal pier on an average of 101 ft of frontage on Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders as received by the Department on August 4, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 20 cu yd of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. The 4 ft wide terrace area around the perimeter of the proposed beach shall be replanted with native species.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minor impact project per Rule Wt 303.03(g), dredge of less than 20 cu yd from public waters.
2. The average slope of the shoreline through the impact area is greater than 25% and does not meet the requirement of Rule Env-Ws 1405.08, Slope Limitation.
3. The average slope through the impact area if the beach were expanded to the allowable 900 sq ft would be less than 25% and would meet Rule Env-Ws 1405.08.
4. The construction of the beach at the smaller sized proposed is a less impacting solution than maximizing the impacts to meet Rule Env-Ws 1405.08, therefore Rule Env-Ws 1405.08 is waived.

2005-02590

TERRIEN, HEIDI

ANTRIM Unnamed Wetland

Requested Action:

Dredge and fill 3,201 square feet of palustrine emergent wetlands (wet meadow) to construct a driveway for access to one (1), single family building lot of a two (2) lot subdivision, 1.62 acres in total area, and retain an existing 18-inch x 19-foot culvert.

APPROVE PERMIT:

Dredge and fill 3,201 square feet of palustrine emergent wetlands (wet meadow) to construct a driveway for access to one (1), single family building lot of a two (2) lot subdivision, 1.62 acres in total area, and retain an existing 18-inch x 19-foot culvert.

With Conditions:

1. All work shall be in accordance with plans by Christopher K. Danforth & Associates, LLC dated September 14, 2005, as received by the DES Wetlands Bureau on October 26, 2005, and by Doughty Surveying, Inc. dated November 2005, as received by the DES Wetlands Bureau on January 26, 2006.
2. The deed which accompanies the sales transaction of each lot in the subdivision shall contain condition #3 of this approval.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. All work shall be done during low flow.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The driveway is required to access buildable upland for a single family residence.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The only access to the parcel is available through an existing barway with an existing 18-inch x 19-foot culvert. The proposed driveway location provides the shortest crossing distance over the wetlands.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The wet meadow contains no stream channels in the area of the crossing.
6. The applicant has proposed the subdivision of 1.13 acres from a 1.62 acre lot.
7. The applicant has proposed the subdivision of a developed lot. Access to the developed portion of the lot exists and did not

require wetlands impacts.

8. The lot is served by municipal sewer.

9. Per Wt 304.04(a) , the applicant provided a written agreement from the abutter concurring with wetlands impacts within 20 feet of the property line.

10. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department did not have record of any rare or endangered species near the project area.

2005-02642 C P MCDOUGH CONSTRUCTION
NEWTON Unnamed Wetland

Requested Action:

Dredge and fill a total of 10,340 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct an access roadway for a commercial subdivision requiring four (4) culvert crossings with no fill for lot development.

Conservation Commission/Staff Comments:

Pers. comm. with Trisha McCarthy of the Newton Conservation Commission found that the Commission is not opposed to the wetlands impacts for the roadway crossings associated with this project.

APPROVE PERMIT:

Dredge and fill a total of 10,340 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct an access roadway for a commercial subdivision requiring four (4) culvert crossings with no fill for lot development.

With Conditions:

1. All work shall be in accordance with plans by Civil Construction Management, Inc. dated August 2005, as received by the Department on October 31, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is for four (4) roadway culvert crossings only; there shall be no further alteration of wetlands for lot development, driveways, culverts, septic setback or other construction activities.
4. This permit is contingent on approval by the DES Site Specific Program.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

MINIMUM IMPACT PROJECT

2005-02612 **BEAMAN, GARY**
WINCHESTER **Unnamed Pond**

Requested Action:

Dredge 2,000 square feet of an existing pond to restore its original depth and volume and install a dry hydrant for fire flow protection. The maintenance dredge will require temporary diversion with sandbags of the stream that flows into the pond.

APPROVE PERMIT:

Dredge 2,000 square feet of an existing pond to restore its original depth and volume and install a dry hydrant for fire flow protection. The maintenance dredge will require temporary diversion with sandbags of the stream that flows into the pond.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated October 17, 2005, as received by the DES Wetlands Bureau on October 28, 2005.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. All work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Dredged material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k), maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The pond was previously used as a fire pond however sedimentation has reduced the pond depth and storage capacity. Dredging of the pond is required to restore the pond to its original depth and capacity to meet the requirements of the Town of Winchester Fire Department.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A dry hydrant is being installed in the pond to provide fire flow protection. The dry hydrant will be accessible via a pull off area on Schofield Mountain Road.
6. The stream that flows into the pond will be temporarily diverted to an adjacent channel with sandbags.

2005-02651 BACHELDER, JOHN
CHESTER Unnamed Wetland

Requested Action:

Retain 2,100 sq. ft. of historic fill on site to construct a storage barn with apartment and, in addition, fill 100 sq. ft. of palustrine scrub-shrub wetlands to install a force main to a septic system on a 1.64 acre parcel of land.

Conservation Commission/Staff Comments:

No report received from the Chester Conservation Commission.

APPROVE PERMIT:

Retain 2,100 sq. ft. of historic fill on site to construct a storage barn with apartment and, in addition, fill 100 sq. ft. of palustrine scrub-shrub wetlands to install a force main to a septic system on a 1.64 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Blue Moon Environmental, Inc. dated 10/27/05, as received by the Department on November 01, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

2005-02694 JONES BROOK LLP
FARMINGTON Unnamed Stream

Requested Action:

Dredge and fill 1,700 square feet of wetland to install a 24" x 35' culvert for one roadway crossing for construction of a 37-lot subdivision on 59+/- acres.

Conservation Commission/Staff Comments:

Con. Com. did not report.

APPROVE PERMIT:

Dredge and fill 1,700 square feet of wetland to install a 24" x 35' culvert for one roadway crossing for construction of a 37-lot subdivision on 59+/- acres.

With Conditions:

1. All work shall be in accordance with plans by Land Tech Service Corp. dated April 2005, as received by the Department on November 4, 2005.
2. This permit is contingent on the approval and conditions of the NPDES permit.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.

8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Work shall be done during low flow.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culvert outlets shall be properly rip rapped.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The project must cross the wetland at some point to reach developable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2006-00168 KIMBALL SR, JOHN
WAKEFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Wakefield Tax Map 19, Lot# 5

2006-00171 BELMONT GAMING LLC
BELMONT Unnamed Stream

COMPLETE NOTIFICATION:
Belmont Tax Map 246, Lot# 1

2006-00172 BICKFORD, FRED
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich Tax Map R1, Lot# 6

2006-00175 CASSAVAUGH, KIRKMAN & SHIRLEY
BELMONT Unnamed Stream

COMPLETE NOTIFICATION:

Belmont Tax Map 209, Lot# 15

2006-00177 LANTIER, FREDRICK
FARMINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Farmington Tax Map R34, Lot# 17-1

2006-00178 VERVERIDIJ, ELIAS
NORTHWOOD Unnamed Stream

COMPLETE NOTIFICATION:
Northwood Tax Map 231, Lot# 35

2006-00180 THOMSON, PERTER, TOM & DAVID
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:
Orford Tax Map 7, Lot# 9

EXPEDITED MINIMUM

2005-01904 GEORGE, MATTHEW & MELISSA
ALTON Unnamed Pond

Requested Action:

Dredge and fill 1440 square feet of jurisdiction to replace existing twin 15-inch and a 24-inch culvert with a single 36-inch x 40 foot culvert to maintain existing driveway access to two single family residential lots.

APPROVE PERMIT:

Dredge and fill 1440 square feet of jurisdiction to replace existing twin 15-inch and a 24-inch culvert with a single 36-inch x 40 foot culvert to maintain existing driveway access to two single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Brascow Excavating, as received by the Department on January 12, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
4. Work shall be conducted during low water conditions.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.

8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
13. The proposed culvert inverts shall be placed at the grades of the lowest existing culvert.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x); maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided a letter of agreement from the abutter noting their concurrence with the proposed project.

2005-02373 MARSHALL, MICHAEL & AMY
BEDFORD Unnamed Wetland

Conservation Commission/Staff Comments:

The Town of Bedford Conservation Commission recommended approval of the application.

APPROVE PERMIT:

Dredge and fill approximately 1,436 square feet of forested wetlands and intermittent stream to construct one common driveway to lots 31-4 and 31-4-7 and one single driveway to lot 31-4-8 for access to a three lot subdivision. Work will include installation of one common driveway crossing consisting of retaining a previously installed 24" x 26' culvert (RCP), constructing new headwalls and associated grading and a single lot driveway crossing consisting of installation of a 24" x 26' culvert (HDPE), headwalls, outlet protection, and associated grading.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc., sheets 1 and 2 of 5, revision date December 16, 2005, and sheets 4 and 5 of 5, dated March 10, 2005, as received by the Department on December 29, 2005, and sheet 3 of 3, revision date January 27, 2006, as received by the Department on January 30, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be done during low flow.

6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet in swamps or wet meadows.
2. The impacts to the existing common driveway culvert crossing for Lots 31-4 and 31-4-7 are for adding headwalls resulting in approximately 173 square feet (2 linear feet) of intermittent stream and forested wetland impacts.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The New Hampshire Fish & Game Department recommended that if a crossing device involves a perennial stream the applicant use a culvert 1.2 x stream width and of open bottom design.
6. The applicant's certified wetland scientist (CWS) has classified the stream on the property as a R4UB1E (intermittent stream).
7. The Town of Bedford Conservation Commission recommended approval of the application.
8. The reviewing engineer for the Town of Bedford is satisfied with the design of the proposed project.

2005-02774 LEWIS, JOHN
DUBLIN Unnamed Wetland

Requested Action:

Dredge 17,537 square feet of palustrine forested wetlands to create a wildlife pond including construction of a roadway embankment with an 18-inch x 24-foot culvert at the pond outlet.

APPROVE PERMIT:

Dredge 17,537 square feet of palustrine forested wetlands to create a wildlife pond including construction of a roadway embankment with an 18-inch x 24-foot culvert at the pond outlet.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated October 28, 2005, as received by the DES Wetlands Bureau on January 26, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. All work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Dredged material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(p), construction of a pond with less than 20,000 sq. ft. of wetlands impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant has proposed the construction of a pond to increase the plant and animal species diversity of their property.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The site proposed for the pond construction was cleared approximately 15 years ago and has since revegetated with herbaceous vegetation and saplings. As part of the pond construction, the applicant has proposed a planting plan which includes native wetland grasses, sedges, shrubs and trees.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The soil in which the pond construction is proposed is poorly drained.
6. There are no streams flowing into or out of the proposed pond site.
7. The proposed roadway embankment and associated culvert is not considered a dam per Env-Wr 301.03.

2006-00011 MALLIN, PAUL/PATRICIA
ALEXANDRIA Unnamed Wetland

Requested Action:

Dredge and fill 584 square feet including installation of two 48-inch x 15 foot culverts for access to a proposed residential lot in the subdivision of 5.59 acres into two residential lots.

Conservation Commission/Staff Comments:

The Conservation Commission signed this minimum impact application.

APPROVE PERMIT:

Dredge and fill 584 square feet including installation of two 48-inch x 15 foot culverts for access to a proposed residential lot in the subdivision of 5.59 acres into two residential lots.

With Conditions:

1. All work shall be in accordance with plans by Central Land Surveying Inc dated August 17, 2005, as received by the Department on January 3, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be done during periods of non-flow.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain

until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

7. Proper headwalls shall be constructed within seven days of culvert installation.

8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f); projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2006-00029 GILLESPIE, BRETT
NOTTINGHAM Unnamed Wetland

2006-00045 SANTORELLI, SALVATORE
SALEM Unnamed Wetland

Requested Action:

Dredge and fill 1,010 square feet of palustrine forested wetland on Gulliver Avenue to install a 12-inch by 20-foot RCP culvert and associated headwalls to upgrade the existing public street for a 2-lot subdivision of 1.86 acres.

Conservation Commission/Staff Comments:

The Salem Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 1,010 square feet of palustrine forested wetland on Gulliver Avenue to install a 12-inch by 20-foot RCP culvert and associated headwalls to upgrade the existing public street for a 2-lot subdivision of 1.86 acres.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation dated July 25, 2005 and revised through December 23, 2005, as received by the Department on January 9, 2006.

2. DES staff shall be notified in writing prior to commencement of work and upon its completion.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

5. Work shall be done during seasonal low flow conditions.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.

8. No fill shall be done for lot development.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration less than 3,000 square feet of jurisdictional palustrine forested wetland.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the road improvements are needed for public travel.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as headwalls will be utilized and the impacts occur at the narrowest portion of wetlands.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The USGS topographical map submitted with the application does not reflect the correct location of the proposed impacts. However, the tax map included accurately depicts to correct project location.
6. Using Arch View GIS, DES reviewed the aforementioned maps and confirmed that the tax map depicts the correct location. Furthermore, this site is a half-mile away and will not adversely affect the closest Salem Prime Wetlands.

2006-00063 2211 REALTY LLC
BRENTWOOD Unnamed Wetland

Requested Action:

Impact approximately 50 sq. ft. of wet meadow to install one (1) new utility pole as part of a power utility line upgrade within an existing easement.

Conservation Commission/Staff Comments:

The Brentwood Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact approximately 50 sq. ft. of wet meadow to install one (1) new utility pole as part of a power utility line upgrade within an existing easement.

With Conditions:

1. All work shall be in accordance with plans by Public Service of New Hampshire (PSNH) dated January 5, 2006, as received by the Department on January 13, 2006.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All work shall be conducted during frozen soil conditions to minimize wetlands impacts.
4. Appropriate erosion, siltation and turbidity controls shall be installed prior to utility pole installation, shall be maintained during installation, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Timber or natural fiber mats or corduroy shall be used, where necessary, to stabilize the wetlands to prevent rutting of the soil. These materials shall be entirely removed from wetlands immediately following completion of work.
6. Any clearing required in utility line easement shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering wetlands. Faulty

equipment shall be repaired prior to entering jurisdictional areas.

8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in their use.

9. All refueling of equipment shall occur at least 100 feet from surface waters or wetlands during construction.

10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

11. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of wet meadow.

2. Per Rule Wt 302.01., the need for the proposed impacts has been demonstrated by the applicant, as the impacts are to upgrade an existing utility line.

3. Per Rule Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, as the only area of permanent impact will be the new utility pole.

4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.

2006-00139 MELVILLE, JOSEPH
HAMPTON FALLS Unnamed Pond Kenney Brook

Requested Action:

Temporarily impact 2,875 square feet within the 100-foot tidal buffer zone to replace two (2) failing septic systems for a single family residence on 12.5 acres.

Conservation Commission/Staff Comments:

The Hampton Falls Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 2,875 square feet within the 100-foot tidal buffer zone to replace two (2) failing septic systems for a single family residence on 12.5 acres.

With Conditions:

1. All work shall be in accordance with plans by NH Soil Consultants dated December 2005, as received by the Department on January 23, 2006.

2. DES staff shall be notified in writing prior to commencement of work and upon its completion.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.

8. No fill shall be done for lot development.

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.

2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant, as the current septic systems are antiquated and pose a threat of contamination to adjacent resource areas.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction, as the proposed impact are temporary.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Natural Heritage Bureau(NHNHB) has record of two natural communities within the project vicinity: Brackish marsh and High Salt marsh; three state threatened plant species within the project vicinity, Salt-loving Spike-rush (*Eleocharis uniglumis*), Salt-marsh Gerardia (*Agalinis maritima*), Slender Blue Flag (*Iris prismatica*); one state endangered plant species: Yellow Thistle (*Cirsium horridulum*); and two vertebrate species: Saltmarsh Sharp-tailed Sparrow (*Ammodramus caudacutus*) and Willet (*Catoptrophorus semipalmatus*).
6. DES finds that none of the NHNHB identified items will be impacted as a result of this project, as the property is currently fully developed and does not support the listed plant species.
7. The proposed septic tanks will be draining out of the 100-foot tidal buffer zone towards the uplands on the northwest portion of the lot.

GOLD DREDGE

2006-00155 COX, TIMOTHY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Conservation Commission

APPROVE PERMIT:
Gold Dredge

2006-00158 BOUCHER, REGINA
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath conservation commission

APPROVE PERMIT:
Gold Dredge

2006-00162 BOUCHER, ALBERT
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Conservation Commission

APPROVE PERMIT:
Gold Dredge

2006-00173 AMBLO, MARK
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Conservation Commission

APPROVE PERMIT:

Gold Dredge

PERMIT BY NOTIFICATION

2006-00055 VAN GELDER, ROBERT/ROXANNE
FARMINGTON Unnamed Wetland

Requested Action:

Dredge and fill 1,200 square feet of wetlands to install a 24" x 45' culvert for construction of a driveway to a single family house lot.

Conservation Commission/Staff Comments:

Conservation Commission did not sign form.

COMPLETE NOTIFICATION:

Dredge and fill 1,200 square feet of wetlands to install a 24" x 45' culvert for construction of a driveway to a single family house lot.

2006-00084 CAIN, PAUL
NOTTINGHAM Unnamed Wetland

Requested Action:

Dredge and fill a total of 1310 square feet of wetlands for installation of a 15" x 30' culvert and a 15" x 24' culvert for construction of a driveway to a single family house lot.

Conservation Commission/Staff Comments:

Conservation Commission signed notification.

COMPLETE NOTIFICATION:

Dredge and fill a total of 1310 square feet of wetlands for installation of a 15" x 30' culvert and a 15" x 24' culvert for construction of a driveway to a single family house lot.

2006-00105 CASALE, THOMAS & STEPHENIE
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replenish existing 150 sq ft perched beach with 8 cu yd of sand, and repair existing retaining wall.

PBN DISQUALIFIED:

Replenish existing 150 sq ft perched beach with 8 cu yd of sand, and repair existing retaining wall.

With Findings:

1. Discrepancies exist within the application files 2005-1857 and 2006-105. Plans within 2005-1857 do not show a 7 ft x 12 ft permanent pier on the frontage. The newer application shows a 7 ft x 12 ft permanent pier as existing. Photos submitted with file 2005-1857 do not show an existing retaining wall, but shows rip rap or stable natural shoreline.
2. Permitting a permanent pier that was not there in 2005, would not be within the realm of Administrative Rule Wt 303.04 and therefore does not qualify for the Permit By Notification process.

2006-00106 DURHAM, TOWN OF
DURHAM Crommet Creek

PBN DISQUALIFIED:

PBN is disqualified.

2006-00107 DOHERTY ONE FAMILY TRUST, MICHAEL & LUCIA
NEW DURHAM Merrymeeting Lake

Requested Action:

Repair/replace a 209 sq ft crib "in-kind" supporting a 7 ft 2 in x 21 ft 19 in dock paralleling the shoreline accessed by a 4 ft x 18 ft dock in New Durham on Merrymeeting Lake.

PBN IS COMPLETE:

Repair/replace a 209 sq ft crib "in-kind" supporting a 7 ft 2 in x 21 ft 19 in dock paralleling the shoreline accessed by a 4 ft x 18 ft dock in New Durham on Merrymeeting Lake.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), Maintenance, repair and replacement "in-kind" of existing docking structures.

2006-00149 DONAHUE, CHARLIE & CLAIRE TENAGLIA
WINDHAM

Requested Action:

Remove rip-rap/natural shoreline and install a retaining wall.

Inspection Date: 02/27/2006 by Chris T Brison

PBN DISQUALIFIED:

Remove rip-rap/natural shoreline and install a retaining wall.

With Findings:

1. This project does not qualify for the PBN process as a retaining wall replacement in kind because the existing shoreline is rip-rap or is a natural shoreline. This would also disturb more than 50 ft of shoreline.

2006-00183 OBRIEN, WILLIAM
ALTON BAY Lake Winnepesaukee

Requested Action:

Replace 2 existing 7 ft x 8 ft cribs and replace one 8 ft x 28 ft crib supporting a "U-shaped" docking facility on 170 ft of frontage in Alton Bay on Lake Winnepesaukee.

PBN IS COMPLETE:

Replace 2 existing 7 ft x 8 ft cribs and replace one 8 ft x 28 ft crib supporting a "U-shaped" docking facility on 170 ft of frontage in Alton Bay on Lake Winnepesaukee.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(v), maintenance, repair, and replacement in-kind of existing docking structures.